

MEMORANDUM

Agenda Item No. 10(A)(17)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: August 23, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution placing a non-binding straw ballot question on the general election ballot submitting to the Electors whether they support Miami-Dade County issuing Public Health Trust Capital improvement revenue bonds for new or renovated Jackson Health System facilities and infrastructure and the expansion of primary care clinics

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 10(A)(17)

Veto _____

8-23-12

Override _____

RESOLUTION NO. _____

RESOLUTION PLACING A NON-BINDING STRAW BALLOT QUESTION ON THE GENERAL ELECTION BALLOT IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY WHETHER THEY SUPPORT MIAMI-DADE COUNTY ISSUING PUBLIC HEALTH TRUST CAPITAL IMPROVEMENT REVENUE BONDS FOR NEW OR RENOVATED JACKSON HEALTH SYSTEM FACILITIES AND INFRASTRUCTURE AND THE EXPANSION OF PRIMARY CARE CLINICS

WHEREAS, the Public Health Trust is an agency and instrumentality of Miami-Dade County which operates Jackson Health System, including Jackson Memorial Hospital, primary care clinics and other designated facilities; and

WHEREAS, Jackson Memorial Hospital was originally established over ninety (90) years ago and major portions of it have not been upgraded or significantly refurbished for many years, resulting in conditions necessitating expenditures and investment in capital projects to ensure the future viability of Jackson Health System, including its flagship hospital, Jackson Memorial Hospital; and

WHEREAS, the Public Health Trust has faced significant fiscal issues over the past decade resulting in the Public Health Trust deferring and delaying needed expenditures for capital projects and infrastructure and the expansion of its network of primary care clinics; and

WHEREAS, new or renovated capital improvement projects and infrastructure and the expansion of primary care clinics would benefit the community and retain Jackson Memorial Hospital as a top-class, world-renown Hospital; and

WHEREAS, this Board wishes to determine whether the residents of Miami-Dade County support Miami-Dade County issuing Public Health Trust capital improvement revenue bonds for the purposes delineated above,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. A non-binding straw ballot question shall be placed on the Tuesday, November 6, 2012 general election for the purpose of submitting to the qualified electors of Miami-Dade County the non-binding straw ballot question as set forth below.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida shall be entitled to vote at said election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will close in accordance with the provisions of general election laws. The question shall appear on the ballot in substantially the following form:

NON-BINDING STRAW BALLOT ON MIAMI-
DADE ISSUING PUBLIC HEALTH TRUST
CAPITAL IMPROVEMENT REVENUE BONDS

Would you support Miami-Dade County issuing Public Health Trust capital improvement revenue bonds for new or renovated Jackson Health System facilities and infrastructure and the expansion of the Jackson Health System's network of primary care clinics?

YES

NO

Section 4. The form of the ballot shall be in accordance with the requirements of general election laws.

Section 5. Early voting shall be conducted in accordance with the requirements of general election laws.

Section 6. Absentee paper ballots may be used by qualified electors of Miami-Dade County for voting on this question. The form of such absentee ballot shall be in accordance with the requirements prescribed by general election laws.

Section 7. A sample ballot showing the manner in which the question or proposal aforesaid will appear at this election shall be published and provided in accordance with the applicable provisions of general election laws.

Section 8. This election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Mayor or his or her designee, the Finance Director, and the Clerk of the County Commission are hereby authorized

and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Election officials in connection with this election shall be appointed in accordance with the provisions of general election laws.

Section 9. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 3.07 of the Home Rule Charter.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

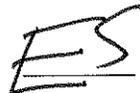
The Chairperson thereupon declared the resolution duly passed and adopted this 23rd day of August, 2012. This resolution shall become effective upon the earlier of (1) ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Eugene Shy, Jr.